

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – June 05, 2013**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

Mayor McDonald led everyone in the flag salute.

Roll Call: Gleba, McDonald, Thompson, Conry, Torres (Arrived at 7:05pm)

Also Present: Kristine Blanchard, Manager/Borough Clerk

MINUTES:

Regular Meeting – April 16, 2013

Motion made by Gleba, seconded by Thompson to approve the minutes of April 16, 2013.

Council Discussion:

Councilwoman Gleba noted that the minutes stated that Council will receive a copy of the final budget with the amended numbers and those have not been received yet. Manager Blanchard will provide the copies to Council as soon as possible. Councilwoman Gleba also noted that on page 13 of the minutes she had asked if there was a separate report from Washington Township Police regarding their Shared Services with Washington Borough that shows their revenues. Manager Blanchard stated that she will work on providing that to Councilwoman Gleba. Councilwoman Gleba inquired about the difference between overlay and milling in regards to the roads being paved in Washington Borough. Councilman Thompson explained that in the milling process the road is taken down to the bare bones and overlay is just a layer placed on top of the surface.

Ayes: 5, Nays: 0
Motion Carried

CORRESPONDENCE:

A motion was made by Gleba, seconded by Conry to receive and file the correspondence.

Council Discussion:

Councilwoman Gleba wanted everyone to know that the Borough of Washington applied for a municipal aid grant through the New Jersey Department of Transportation and the Borough did not receive the grant. Manager Blanchard recommended that in regards to the correspondence from the Sewer Engineer that the Kinnaman Avenue sewer connection request should be directed to the Sewer Committee. Also in the correspondence was the Sewer Engineer's recommendation for the Borough of Washington to not take any action regarding the Shabecong Creek erosion.

Ayes: 5, Nays: 0
Motion Carried

A motion was made by Gleba and seconded by Conry to direct Manager Blanchard to prepare a letter to the resident who requested the Sewer Engineer investigate the Shabecong Creek erosion stating no action will be taken.

Ayes: 5, Nays: 0
Motion Carried

AUDIENCE:

Jennifer Feldman – 19 Prosper Way

Ms. Feldman stated her educational achievements and that she is currently employed as a Special Education teacher at the Warren Hills Middle School. In 2004 she began her employment at the Washington Borough Pool and has had seasonal employment there every year holding various job titles. Most recent she was a pool manager/supervisor. She has been continuously rehired and never written up or verbally warned. However, this year she states that she has been denied employment for reasons unknown to her. She submitted her application for employment at the pool on April 14, 2013 and as of May 22nd she has not heard anything. After many phone calls and almost two weeks, still not hearing from the Recreation Director, Ms. Feldman was informed that all the management positions were already filled. Ms. Feldman asked Council for their assistance in getting answers. Ms. Feldman stated that she feels she may be denied employment for an incident that occurred in August 2012 where she may be accused of being a “whistleblower”. Ms. Feldman contacted the police during this incident so that a record of the incident could be on file. Ms. Feldman stated that some or possibly all of

the employees involved were re-hired except for herself. She also stated, according to the policy of the Borough, positions may be advertised in the Star Gazette or Express Times. To Ms. Feldman's knowledge, no posting has taken place and no dates for a submission deadline appeared on the Borough website.

Council Discussion:

Mayor McDonald suggested Ms. Feldman bring this issue before the Recreation Commission at their next meeting. Councilwoman Gleba stated at the very least, Ms. Feldman deserves a call back from the Recreation Director.

A motion was made by Torres and seconded by Gleba for a five minute recess.

Ayes: 5, Nays: 0
Motion Carried

Ms. Feldman also stated that the Recreation Commission has canceled four out of the last seven meetings. Councilman Torres has an issue with the fact that the Recreation Commission is not having the appropriate amount of meetings. Mayor McDonald stated that the Boro can look into and monitor their number of meetings. Mayor McDonald asked Manager Blanchard to instruct the Recreation Director to call Ms. Feldman in regards to this matter.

Hearing no further comments from the audience a motion was made by Torres, seconded by Conry, to close the audience portion of the meeting.

Ayes: 5, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 3-2013 Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Years Beginning January 1, 2013. (Public Hearing/Adoption)

Motion made by Gleba and seconded by Torres to introduce Ordinance #3-2013 on final passage and have the Clerk read by title.

Roll Call: Gleba, Torres, McDonald, Conry, Thompson
Ayes: 5, Nays: 0
Motion Carried

The Clerk read Ordinance #3-2013 Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Years Beginning January 1, 2013.

ORDINANCE # 3-2013

**AN ORDINANCE FIXING THE SALARY AND WAGES
OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING
PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR
THE YEARS BEGINNING JANUARY 1, 2013**

SECTION 1. The annual salaries, wages and salary and wage ranges for the municipal officials and employees of the Borough of Washington hereinafter named shall be as follows:

SCHEDULE A - FULL-TIME CLASSIFIED/UNCLASSIFIED

| <u>POSITION TITLE</u> | <u>SALARY OR WAGE RANGE</u> |
|---|-----------------------------|
| Account Clerk, Keyboarding Clerk 2 | \$33,691 - \$49,908 AN |
| Administrative Clerk | \$46,623 - \$69,630 AN |
| Assistant Municipal Tax Collector | \$40,317 - \$59,767 AN |
| Road Repairer Supervisor | \$60,474 - \$71,440 AN |
| Road Repairer 3 | \$55,771 - \$68,468 AN |
| Building Maintenance Worker | \$41,665 - \$52,112 AN |
| Clerk 1 | \$19,585- \$28,236 AN |
| Code Enforcement Officer/Zoning Officer | \$46,278 - \$61,622 AN |
| Equipment Operator, Keyboarding Clerk 3 | \$49,984 - \$62,520 AN |
| Laborer 1 | \$37,771 - \$48,394 AN |
| Library Assistant, Keyboarding Clerk 1 | \$29,739 - \$43,527 AN |
| Senior Account Clerk | \$48,564 – \$63,310 AN |
| Supervising Library Assistant | \$35,952 - \$51,901 AN |
| Truck Driver | \$44,832 - \$57,787 AN |

SCHEDULE C - PART-TIME CLASSIFIED

| | |
|---|-----------------------|
| Account Clerk | \$7.25 - \$25.00 Hr. |
| Animal Control Officer | \$2,750 - \$12,562 AN |
| Building Service Worker | \$7.25 - \$25.00 Hr. |
| Clerk 1 | \$7.25 - \$25.00 Hr. |
| Code Enforcement Officer | \$7.25 - \$30.00 Hr. |
| Keyboarding Clerk 1 | \$7.25 - \$25.00 Hr. |
| Deputy Municipal Emergency Management Coordinator | \$2,000 - \$3,000 AN |
| Deputy Registrar of Vital Statistics | \$1,500 - \$1,700 AN |

| | |
|---------------------------------|-----------------------|
| Fire Official | \$20.00 - \$30.00 Hr. |
| Fire Prevention Specialist | \$15.00 - \$25.00 Hr. |
| Library Assistant | \$7.25 - \$25.00 Hr. |
| Municipal Recycling Coordinator | \$1,000 - \$3,000 AN |
| Senior Library Assistant | \$7.25 - \$25.00 Hr. |
| Librarian | \$18.00-\$30.00 Hr. |
| Zoning Officer | \$7.25 - \$30.00 Hr. |

SCHEDULE D - UNCLASSIFIED SERVICE

| | |
|---|---|
| Chief Financial Officer | \$15,500 - \$60,000 AN |
| Council Members | \$2,000 AN |
| Deputy Municipal Clerk | \$7.25 - \$25.00 Hr. |
| Mayor | \$2,500 AN |
| Municipal Clerk | \$48,833 - \$77,388 AN |
| Municipal Department Head | \$15,000 - \$75,000 AN or \$8.25 - \$41.00 Hr. |
| Municipal Emergency Management Coordinator | \$2,000 - \$6,000 AN |
| Municipal Manager (when not combined with Mun. Clerk) | \$80,000 - \$120,000 AN |
| Municipal Manager (when combined with Mun. Clerk) | \$20,000 - \$30,000 AN |
| Tax Assessor | \$25,500 - \$45,679 AN |
| Tax Collector (P/T) | \$14,500 - \$30,000 AN |
| Tax Collector (F/T) | \$46,623 - \$69,630 AN |

SCHEDULE E - UNCLASSIFIED SERVICE
(TEMPORARY OR SEASONAL)

| | |
|--|---|
| Acting or Interim Department Head or Executive Management | \$10.00 - \$50.00 Hr. |
| Assistant Recreation Supervisor(s) (Swim Team) | \$7.25 - \$25.00 Hr. |
| Cashier | \$7.25 - \$25.00 Hr. |
| Equipment Operator | \$7.25 - \$25.00 Hr. |
| Food Service Manager | \$7.25 - \$25.00 Hr. |
| Food Service Worker | \$7.25 - \$25.00 Hr. |
| Laborer 1 | \$7.25 - \$25.00 Hr. |
| Life Guard | \$7.25 - \$25.00 Hr. |
| Maintenance Worker 1, Grounds | \$7.25 - \$25.00 Hr. |
| Municipal Department Head | \$17.00 - \$30.00 Hr. |
| Recreation Supervisor Swimming (Swim Team) | \$7.25 - \$25.00 Hr. |
| Recreation Supervisor Swimming (Swim Lessons) | \$7.25 - \$25.00 Hr. |
| Secretary, Board/Commission (Board of Adjustment, Shade Tree, Planning Board, Recreation Department, General Administration) | \$ 500 - \$4,000 AN or \$7.25 - \$25.00 Hr.) |
| Recreation Supervisor (Basketball, Arts&Crafts, Playground) | \$7.25 - \$25.00 Hr. |
| Supervisor Baths & Pools | \$7.25 - \$25.00 Hr. |
| Truck Driver | \$7.25 - \$25.00 Hr. |

SECTION 2. Salaries herein shall be payable at the rate fixed in equal installments twice a month. Wages shall be payable twice a month. Any annual salary may be re-calculated to an hourly wage for any position unless restricted by collective bargaining agreement. Any and all fees received by officials and employees of the Borough of Washington shall be paid unto the municipality.

SECTION 3. Any salary and wage ordinance adopted prior to the adoption of this ordinance with provisions inconsistent with the provisions of Section 1 of this ordinance shall, to the extent of any inconsistency and only to the extent of the inconsistency, be repealed.

SECTION 4. In the event the position becomes vacant or no figure is listed, then the figures noted in the column with the heading "salary or wage range" shall be utilized by the appointing authority and any salary or wage paid within this range shall be deemed appropriate and valid.

SECTION 5. An employee who has medical coverage under a spouse's health benefit plan and waives participation in the Borough of Washington health benefits program shall be compensated at the rate of \$2,000 prorated to compensate the employee for only those pay periods when the Borough is no longer obligated to make health benefit payments.

SECTION 6. The Road Repairer - Supervisor in possession of a valid Certificate as Certified Public Works Manager shall have added to their base pay \$6,000.00 per year to be paid twice per month.

SECTION 7. A public works employee who works eight hours in one day out of title in a job classification with a higher salary or wage range shall be entitled to additional compensation for that day at the rate of his or her current rate of pay plus ten (10%) percent.

SECTION 9. The rates contained herein shall become effective January 1, 2013.

SECTION 10. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

Public Hearing

Hearing no comments from the public, a motion was made by Torres, seconded by Conry to close the public hearing of Ordinance #3-2013.

Roll Call: Gleba, Torres, McDonald, Conry, Thompson
Ayes: 5, Nays: 0
Motion Carried

Council Discussion:

Councilman Torres questioned why the Fire Official starting salary is set at twenty dollars per hour. Manager Blanchard stated that there are no statutory requirements, these ranges are set by the Borough. Manager Blanchard also stated that these ranges have been discussed within Executive Session for contract negotiations and this position requires a specific certification. Councilman Torres noted that he feels the starting salary for the Fire Official is too high.

Hearing no further comments, a motion was made by Torres, seconded by Gleba to adopt Ordinance #3-2013 on final passage.

Roll Call: Gleba, Torres, McDonald, Conry, Higgins,
Ayes: 5, Nays: 0
Motion Carried

REPORTS:

A motion was made by Conry, seconded by Torres to receive and file the following reports:

1. DPW Report - April

Council Discussion:

Councilman Thompson asked if 229 Belvidere has been sold. Mayor McDonald stated that if the property is sold then the lien will be satisfied.

Ayes: 5, Nays: 0
Motion Carried

COUNCIL COMMITTEE REPORTS:

Codebook Review Committee:

Councilman Torres had provided copies of the latest updates at the last meeting

NEW BUSINESS:

Tax Collector Interview Dates – Manager Blanchard stated that herself, CFO Turchan and the Mansfield Treasurer have held several interviews and have two candidates to

bring before both governing bodies. The interviews will take place prior to the next Council meeting at 6:15pm on June 18th.

Approval of Raffle Application – Washington Emergency Squad – Tabled at this time.

Resolution #109-2013 – Redemption of Tax Certificate

RESOLUTION #109-2013
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 25, 2012 to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865, in the amount of \$352.58 for taxes or other municipal liens assessed for the year 2011 in the name of Suozzo, Robert G., as supposed owner, and in said assessment and sale were described as 104 Lenape Trail, Block 101 Lot 15.30, which sale was evidenced by Certificate #12-00063; and

WHEREAS, I, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-20-13 and before the right to redeem was cut off, as provided by law, New York Community Bank claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,119.41, which is the amount necessary to redeem Tax Sale Certificate #12-00063.

NOW THEREFORE BE IT RESOLVED, on this 5th day of June, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865 in the **amount of \$1,119.41.**

Resolution #109-2013 was moved on a motion made by Torres, seconded by Gleba and approved.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry
Ayes: 5, Nays: 0
Motion Carried

Resolution #110-2013 – Assignment of Labor Lien

RESOLUTION #110-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 33 LOT 1

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 160-162 Belvidere Ave., identified on the tax maps of the Borough as Block 33 Lot 1 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$944.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$944.00 on the property at 160-162 Belvidere Ave., identified on the tax maps of the Borough as Block 33 Lot 1.

Resolution #111-2013 – Assignment of Labor Lien

RESOLUTION #111-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 81 LOT 8

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 143-153 East Washington Ave., identified on the tax maps of the Borough as Block 81 Lot 8 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$944.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$944.00 on the property at 143-153 East Washington Ave., identified on the tax maps of the Borough as Block 81 Lot 8.

Resolution #112-2013 – Assignment of Labor Lien

RESOLUTION #112-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 18.01 LOT 2

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 229 Belvidere Ave., identified on the tax maps of the Borough as Block 18.01 Lot 2 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$118.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough

of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$118.00 on the property at 229 Belvidere Ave., identified on the tax maps of the Borough as Block 18.01 Lot 2.

Resolution #113-2013 – Assignment of Labor Lien

RESOLUTION #113-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 11 LOT 1.01

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 33 State Street, identified on the tax maps of the Borough as Block 11 Lot 1.01 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$118.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$118.00 on the property at 33 State Street, identified on the tax maps of the Borough as Block 11 Lot 1.01.

Resolution #114-2013 – Assignment of Labor Lien

RESOLUTION #114-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 71 LOT 8

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 32 Presidential Drive, identified on the tax maps of the Borough as Block 71 Lot 8 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 32 Presidential Drive, identified on the tax maps of the Borough as Block 71 Lot 8.

Resolution #115-2013 – Assignment of Labor Lien

RESOLUTION #115-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 8 LOT 9

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the

attached, that the owner of the property of the property at 104 North Prospect Street, identified on the tax maps of the Borough as Block 8 Lot 9 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$118.00 to correct the violation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$118.00 on the property at 104 North Prospect Street, identified on the tax maps of the Borough as Block 8 Lot 9

Resolutions #110-2013, #111-2013, #112-2013, #113-2013, #114-2013 and #115-2013 were moved on a motion made by Conry, seconded by Gleba and approved.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry
 Ayes: 5, Nays: 0
 Motion Carried

Resolution #116-2013 – Refund per Tax Court of Appeals

RESOLUTION # 116-2013
A RESOLUTION TO REFUND TAX MONIES PER TAX COURT APPEAL

WHEREAS, the Tax Collector has received a Tax Court Judgment received in 2013 for the years of 2010, 2011 and 2012 for the property listed below:

| <u>BLOCK</u> | <u>LOT</u> | <u>NAME OF OWNER/</u> | <u>YEAR</u> | |
|----------------------|-------------------|-----------------------------------|--------------------|------------------|
| <u>AMOUNT</u> | | <u>PROPERTY LOCATION</u> | | |
| 62 | 2 | Anthony, Charles 140 Boulevard | | |
| | | | 2010 Taxes | 15,257.60 |
| | | | 2011 Taxes | 15,840.00 |
| | | | 2012 Taxes | 15,625.60 |
| | | | TOTAL | 46,723.20 |

Refund payable to: Charles Anthony, 8 Brooklyn Boulevard, Sea Girt, New Jersey

08750

WHEREAS, due to Tax Court Judgment Dockets #005628-2010, #011202-2011 and #007525-2012 the assessed value for the improvement has been reduced from 1,472,000 to 1,152,000 which changes the amount of taxes due thus creating these overpayments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector to refund the above tax overpayment.

Resolution #116-2013 was moved on a motion made by Gleba, seconded by Conry and approved.

Council Discussion:

Councilwoman Gleba asked where in the budget will this amount come from. Manager Blanchard replied that it will come out of the reserve for appeals which was added to the budget this year.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry
Ayes: 5, Nays: 0
Motion Carried

Resolution #117-2013 – Tax Overpayment

RESOLUTION #117-2013
A RESOLUTION TO REFUND OVERPAYMENT
ON 2013 REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,968.40 on 2013 1st Quarter Regular Taxes and \$1,968.40 on 2013 2nd Quarter Regular Taxes paid on property located at 122 Myrtle Avenue, also known as Block 44 Lot 18, and in the name of Orlando, Corey & Shelby; and

WHEREAS, Mr. Orlando had been granted the Veteran's Tax Exempt Status in October 2012 and Corelogic continued to pay the taxes on the 1st and 2nd quarters in 2013; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Corelogic that the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough

of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$3,936.80 payable to:

CoreLogic Real Estate Tax Service
Attn: Tax Refunds
1 CoreLogic Way
Mail Code: DFW 1-3
West Lake, TX 76262

Resolution #117-2013 was moved on a motion made by Torres, seconded by Thompson and approved.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry
Ayes: 5, Nays: 0
Motion Carried

Resolution #118-2013 – Chapter 159 Clean Communities

RESOLUTION #118-2013
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$13,346.34 which is now available from the State of New Jersey, Clean Communities Account

BE IT FURTHER RESOLVED, that the like sum of \$13,346.34 is hereby appropriated under the caption of Other Expenses – Clean Communities.

Resolution #118-2013 was moved on a motion made by Gleba, seconded by Torres and approved.

Roll Call: Gleba, Torres, McDonald, Thompson, Conry
Ayes: 5, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$128,437.68

Council Discussion:

Councilwoman Gleba asked if the Municipal Building doors on page four were already installed. Manager Blanchard stated that the payment for the doors will be pulled since they were not installed yet. Councilman Torres questioned the charge for real estate tax matters on page two. Manager Blanchard replied it is charges related to the tax appeal attorney. Councilwoman Gleba asked why the charge for the new mower is coming out of streets instead of buildings and grounds. Manager Blanchard stated that she will find out why the amount was charged there and move it to the appropriate account.

Motion made by Gleba, seconded by Conry and approved.

Roll Call: Gleba, Torres, McDonald, Conry, Thompson
Ayes: 5, Nays: 0
Abstain: Thompson – Fire Dept. & EMS

MEETING RE-CAP:

Manager Blanchard will send the final budget via email to Mayor McDonald and provide a hard copy for the rest of Council. Manager Blanchard will make the changes and provide the requests that Councilwoman Gleba noted in the minutes. Manager Blanchard will also send the information to the Sewer Committee regarding the hookup request for Kinnaman Avenue and send a letter to Mrs. Klimko with the engineer's findings regarding the Shabcong Creek erosion. Manager Blanchard will also direct the Recreation Director to call Ms. Feldman. The tax collector interview dates have been set for June 18th at 6:15pm. In regards to the vouchers, Manager Blanchard will look into the mower charge and pull the check for the municipal building doors until the work has been completed.

COUNCIL REMARKS:

Councilman Torres noted that unfortunately the Borough lost their Animal Control Officer, Gary Wysocki. He extended his condolences to the family.

Councilwoman Gleba also extended her condolences to the Wysocki Family. She also noted that the Senior Committee had a meeting and have lots of ideas and are excited to get started to better serve those senior residents of the community. Councilwoman Gleba reminded everyone that June 15th is the BID's car show and to stop by and show their support. Councilwoman Gleba also added that she received a letter from a resident regarding concern over the paving of Belvidere Avenue and wants to make sure that the Borough does a quality job with the paving noting that the original plan called for curbing and drainage. There is concern from residents that there will be drainage issues. Councilman Torres noted that it was decided that there was not going to curbing and drainage done at this time. Manager Blanchard added that if curbing and drainage were done, the cost would be significantly more. Manager Blanchard also added that the Streets Committee were looking into Belvidere Avenue being taken over by the county. Their request was turned down because the county wanted the road in good condition before it was turned over. So it is still a possibility that the responsibility of Belvidere Avenue is taken over by the county in the future.

Mayor McDonald also extended his condolences to the Wysocki Family. Mayor McDonald added that the viewing is on Friday from 1:00pm to 3:00pm and also from 6:00pm to 9:00pm at the Warren Hills Memorial Home.

EXECUTIVE SESSION:

Resolution #119-2013 Executive Session Authorization

A motion was made by Torres, seconded by Thompson, to go into Executive Session for personnel matters after a five minute break.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION # 119-2013 **RESOLUTION AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A.* 40:4-12; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A.* 40:4-12:

_____ A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

_____ A matter where the release of information would impair a right to receive funds from the federal government;

_____ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____ A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ personnel _____. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____ OR _____ the public

disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

____Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Thompson, seconded by Torres, to go out of Executive Session.

Ayes: 5, Nays: 0
Motion Carried

Hearing no further business, a motion made by Torres, seconded by Thompsom to adjourn the meeting at 8:20p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk